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International Court of Justice

INTERNATIONAL MILITARY TRIBUNAL

H1227 - 0002

THE INDIVIDUAL RESPONSIBILITY OF THE DEFENDANT

H A N S F R A N K

FOR CRIMES AGAINST THE PEACE, WAR CRIMES AND CRIMES AGAINST HUMANITY

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DEFENDANT HANS FRANK

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STATEMENT OF EVIDENCE

I. DEFENDANT FRANK HELD A POSITION OF LEADERSHIP IN THE NATIONALSOZIALISTISCHE DEUTSCHE ARBEITERPARTEI (NSDAP) AND IN THE GERMAN GOVERNMENT.

Defendant Frank held the following positions in the Nationalsozialistische Deutsche Arbeiterpartei (NSDAP) and the German Government:

1. Member of Nationalsozialistische Deutsche Arbeiterpartei- 1928 - 1945.

2. Member of the Reichstag (Mitglied des Reichstag) - 1930-1945.

3. Reich Minister without portfolio - 1934-1945.

4. Reich Commissar for the coordination of the State administration of justice and for reformation of the law (Reichskommisar fur die Gleichschaltung der Justiz in der Landern und fur Erneuerung der Rechtsordnung), April 1933 - December 1934, in the Ministry of Justice.

5. President, International Chamber of Law (1941 - 42).

6. President, Academy of German Law (Prasident der Akademie fur Deutsches Recht) 1933-1942.

7. Governor-General of the Occupied Polish Territories (General Gouverneur fur die besetzten polnischen Gebiete) - October 1939-1945.

8. Bavarian State Minister of Justice - March 1933 to December 1934.

9. Reichsleiter of Nationalsozialistische Deutsche Arbeiterpartei 1933-1942.

10. Leader of the National Socialist Lawyers League (Bund Nationalsozialistischer deutscher Juristen) from 1933 to 1942.

11. Editor or author of following between 1930 and 1942:

    1) "Deutsches Recht" Magazine of National Socialist Jurists League)

    2) Magazine of the Academy of German Law.

    3) National Socialist Handbook for Law and Legislation.

2979-PS Affidavit by Frank, 15 November 1945.

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II. DEFENDANT FRANK PROMOTED THE SEIZURE OF POWER BY THE NAZI CONSPIRATORS. AS THE LEADING NAZI JURIST, HE FURTHERED THE REALIZATION OF THE CONSPIRATORS' PROGRAM IN THE FIELD OF LAW.

Defendant Frank himself described his role in the Nazi struggle for power in the following words in the course of his closing remarks at a conference held in August 1942 at Kressendorf:

> "I have since 1920 continually dedicated my work to the NSDAP... As National Socialist I was a participant in the events of November 1923 for which I received the Blutorden. After the resurrection of the movement in the year 1925, my real greater activity in the movement began, which made me, first gradually, later almost exclusively, the legal advisor of the Fuehrer and of the Reich leadership of the NSDAP. I thus was the representative of legal interests of the growing Third Reich in a legal ideological as well as practical legal way... The culmination of this work I see in the big Leipzig Army Trial in which I succeeded in having the Fuehrer admitted to the famous oath of legality, a circumstance which gave the Movement the legal grounds to expand generously. The Fuehrer indeed recognized this achievement and in 1926 made me leader of the National Socialist Lawyers League; in 1929 Reich Leader of the Reich Legal Office of the NSDAP; in 1933 Bavarian Minister of Justice; in the same year Reich Commissioner of Justice; in 1934 President of the Academy of German Law founded by me; in December 1934 Reich Minister without portfolio; and in 1939 I was finally appointed to Governor General for the occupied Polish territories.
>
> "So I was, am and will remain the representative jurist of the struggle period of National Socialism.....
>
> "I profess myself now, and always, as a National Socialist and a faithful follower of the Fuehrer Adolf Hitler, whom I have now served since 1919."
>
> 2233-PS-X, Frank's Diary. 1942, Part III, p. 968, 969, 983

VSA 607.

As the "representative jurist of the struggle period of National Socialism" and in the various juridical capacities listed in Section I of this brief, defendant Frank was between 1933 and 1939 the most prominent policy maker in the field of German legal theory.

In 1934 defendant Frank founded the Academy of German law of which he was president until 1942. The statute defining the functions of the Academy conferred on it wide power to coordinate juridical policies:

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"It is the task of the Academy for German Law to further the rejuvenation of the Law in Germany. Closely connected with the agencies competent for legislation, it shall further the realization of the National Socialist Program in the realm of Law. This task shall be carried out through well-fixed scientific methods.

"The Academy's task shall cover primarily:

1. The composition, the initiation, judging and preparing of drafts of law.

2. The collaboration in rejuvenating and unifying the training in jurisprudence and political science.

3. The editing and supporting of scientific publications.

4. The financial assistance for research and work in specific fields of Law and Political Economy.

5. The organization of scientific meetings and the organization of courses.

6. The cultivation of connections to similar institutions in foreign countries."

1391-PS, RGBl. 1934, p.605 (emphasis supplied)

What defendant Frank as policy maker in the field of law conceived as his task was explained by him in a radio address given on 20 March 1934:

".....the first task was that of establishing a unified German State. It was an outstanding historical and juristic - political accomplishment on the part of our Fuehrer that he reached boldly into the development of history and thereby eliminated the sovereignty of the various German states.

".....the second fundamental law of the Hitler Reich is racial legislation. The National Socialists were the first ones in the entire history of human law to elevate the concept of race to the status of a legal term. The German nation, unified racially and nationally, will in the future be legally protected against any further disintegration of the German race stock.

".....the sixth fundamental law was the elgal elimination of those political organizations which within the state, during the period of the reconstruction of the people and the Reich, were once able to place their selfish aims ahead of the common good of the nation. This elimination has taken place entirely legally. It is not the coming to the fore of despotic tendencies but it was the necessary legal consequence of a clear political result, of the 14 years' struggle of the NSDAP.

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".....in accordance with these unified legal aims in all spheres, particular efforts have for months now been made as regards the work of the great reform of the entire field of German law."

2536-PS, Dokumente fur Deutsche Politik, Vol. II, p. 294-298.

He concluded his remarks by pointing out that the outward forms of legality could be preserved in building the Nazi state:

".....as a leader of the German Jurists I am convinced that together with all strata of the German people, we shall be able to construct the legal state of Adolf Hitler in every respect and to such an extent that no one in the world will at any time be able to dare to attack this legal state as regards its laws.

Ibid.

In his speech at the Congress of the Reich Group of University Professors of the National Socialist Jurists' League on 3 October 1936, defendant Frank explained the necessity for excluding Jews from the legal field:

".....this topic embraces all that which in our opinion will contribute to establishing National Socialism in the field of jurisprudence thus eliminating any alien racial spirit therefrom.

".....we National Socialists have started with anti-Semitism in our fight to free the German people, to re-establish a German Reich and to build our entire German spiritual, cultural and social life on the indestructible foundation of our race. We started a gigantic battle in 1919.....it took all the self-confidence of German manhood to withstand and to triumph - in this fight to substitute the German spirit for Jewish corruption over the concerted attacks of powerful world groups of which Jewry is a representative.

".....Particularly we National Socialist Jurists have a mission of our own to accomplish in this battle. We construct German law on the foundations of old and vital elements of the German people.

".....it is so obvious that it hardly needs mentioning that any participation whatsoever of the Jew in German law - be it in a creative, interpretive, educational or critical capacity, - is impossible. The elimination of the Jews from German jurisprudence is in no way due to hatred or envy but to the understanding that the influence of the Jew on German life is essentially a pernicious and harmful one and that in the interests of the German people and to protect its future an unequivocal boundary must be drawn between us and the Jews."

2536-PS, Dokumente fur Deutsche Politik, Vol. IV, pp.225-230.

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As the leading Nazi jurist, defendant Frank accepted and promoted the system of concentration camps and of arrest without warrant. In an article on "Legislation and Judiciary in the Third Reich" published in the Journal of the Academy of German Law in 1936, defendant Frank explained:

> "To the world we are blamed again and again because of the concentration camps. We are asked, 'Why do you arrest without a warrant of arrest?' I say, put yourselves into the position of our nation. Don't forget that the very great and still untouched world of Bolshevism cannot forget that we have made final victory for them impossible in Europe, right here on German soil."

2533-PS, Zeitschrift der Akademie fuer Deutsche Recht, 1936, pp. 141-142

Just as the other defendants mobilized the military, economic, and diplomatic resources of Germany for war, the defendant Frank, in the field of legal policy, geared the German juridical machine for a war of aggression, which, as he explained in 1942 to the NSDAP District Standortsfuehrung Galicia at a mass meeting in Lemberg, had for its purpose:

> ".....to expand the living space for our people in a natural manner."

2233-PS-S, Frank's Diary, 1942, Part III. Entry of 1 August 1942, p. 798.

Defendant Frank was proud of this accomplishment. In a speech beforethe Academy of German Law in November 1939, he stated:

> "Today we are proud to have formulated our legal principles from the very beginning in such a way that they need not be changed in the case of war. For the rule, that right is that which is useful to the nation, and wrong is that which harms it, which stood at the beginning of our legal work, and which established this collective term of nation as the only standard of value of the law -- this rule dominates also the law of these times."

3445-PS Deutsches Recht (Edition A), 1939, Vol. 2 Heft 45/46, 23/30 December. 1939, p 2121.

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III. BY VIRTUE OF HIS OFFICE AS GOVERNOR GENERAL, DEFENDANT FRANK IS RESPONSIBLE FOR THE WAR CRIMES AND CRIMES AGAINST HUMANITY COMMITTED IN THE TERRITORY KNOWN AS THE GENERAL GOVERNMENT.

Some of the war crimes and crimes against humanity committed by the Nazi conspirators, and in particular by defendant Frank as their representative, in the territory of Poland known as the General Government have already been drawn to the attention of the Tribunal in the presentation by the United States Prosecution of the following aspects of the case: Slave Labor Program, Concentration Camps, Persecution of the Jews, and Germanization and Spoliation. Further particulars will be presented by the Soviet Prosecution as part of the presentation of the case on war crimes and crimes against humanity in the East. It is proposed in this and the following sections of this brief to trace defendant Frank's special responsibility, as Governor General, for the policies underlying the crimes committed in the General Government during the period of his administration.

Defendant Frank was appointed Governor General of the Occupied Polish Territories by Hitler decree dated 12 October 1939. The scope of his executive power was defined as follows in this decree:

"Section 1. The territories occupied by German troops shall be subject to the authority of the Governor General of the occupied Polish territories, except insofar as they are incorporated within the German Reich.

"Section 2. (1) I appoint Reich Minister Dr. Frank as Governor General of the occupied Polish territories.
(2) As Deputy Governor General I appoint Reich Minister Dr. Seyss-Inquart.

"Section 3. (1) The Governor General shall be directly responsible to me.
(2) All branches of the administration shall be directed by the Governor General....."

2537-PS, Erlass des Fuehrers und Reichkanzlers ueber die Verwaltung der besetzten polnischen Gebiete 12 October 1939. 1939 Reichsgesetzblatt, Part I, p. 2077.

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The jurisdiction and functions of defendant Frank in the General Government are described by him in several passages of his diary. For example, at a meeting of Department Heads of the General Government on 8 March 1940 in the Bergakademie, defendant Frank clarified his status as follows:

> "One thing is certain. The authority of General Government as the representative of the Fuehrer and the will of the Reich in this territory is certainly strong, and I have always emphasized that I would not tolerate the misuse of this authority. I have allowed this to be known anew at every office in Berlin, especially after Herr Field Marshall Goering on 12.2.1940 from Karin Hall had forbidden all Administrative Offices of the Reich, including the Police and even the Wehrmacht, to interfere in administrative matters of the General Government.....
>
> "There is no authority here in the General Government which is higher as to rank, influence, and authority than that of the Governor General. Even the Wehrmacht has no governmental or official functions of any kind in this connection; it has only security functions and general military duties--- it has no political power whatsoever. The same applies here to the Police and SS. There is here no state within a state but we are the representatives of the Fuehrer and of the Reich. In final conclusion, this applies also to the Party which has here no far-reaching influence except for the fact that very old members of the National Socialist Party and loyal veterans of the Fuehrer take care of general matters."
>
> 2233-PS-M, Frank's Diary, Meeting of Department Heads in the Bergakademie, Friday, 8 March 1940.

At a conference of the District Standartenfuehrer of the NSDAP in Cracow on 18 March 1942, defendant Frank explained the relationship between his administration and Himmler:

> "As you know I am a fanatic as to unity in administration.....It is therefore clear that the Higher SS and Police Officer is subordinated to me, that the Police is a component of the government, that the SS and Police Officer in the district is subordinated to the Governor, and that the Kreis (district) chief has the Authority of command over the gendarmerie in his Kreis (district).... This the Reichsfuehrer SS has recognized; in the written agreement all these points are mentioned word for word and signed.... It is also self-evident that we cannot set up a closed shop here which can be treated in the traditional manner of small states. It would, for instance, be ridiculous if we would build up here a security policy of our own against our Poles in the country, while knowing that the polacks in West Prussia,

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in Posen, in Wartheland and in Silesia have one and the same movement of resistance. The Reichsfuehrer SS and Chief of the German Police thus must be able to carry out with the aid of his agencies his police measures concerning the interests of the Reich as a whole. This, however, will be done in such a way that the measures to be adopted will first be submitted to me and carried out only when I give my consent. In the General Government the Police is the Armed Forces. As a result of this, the leader of the Police system will be called by me into the government of the General Government; he is subordinate to me, or to my deputy, as a State Secretary for the Security System."

2233-PS-R, Frank's Diary, Conference of the District Standartenfuehrer of the NSDAP in Cracow, 18 March 1942, p. 185ff.

(Frank)

IV. THE PROTOCOL UNDER WHICH THE PURPOSES OF DEFENDANT FRANK'S ADMINISTRATION OF THE GENERAL GOVERNMENT WERE DEFINED CONSTITUTES IN ITSELF A CRIMINAL PLAN OR CONSPIRACY CONTRARY TO THE LAWS OF WAR AND THE LAWS OF HUMANITY.

The protocol of the conversation between Defendant Keitel and Hitler, which was dated 20 October 1939 and initialed by General Warlimont, regarding "The Future Shape of Polish Relations with Germany" provided in part as follows:

1). The Armed Forces will welcome it if they can dispose of Administrative questions in Poland.

On principle there cannot be two administrations.

.....

3). It is not the task of the Administration to make Poland into a model province or a model state of the German order or to put her economically or financially on a sound basis.

The Polish intelligensia must be prevented from forming a ruling class. The standard of living in the country is to remain low; we only want to draw labor forces from there. Poles are also to be used for the administration of the country. However the forming of national political groups may not be allowed.

4). The administration has to work on its own responsibility and must not be dependent on Berlin. We don't want to do there what we do in the Reich. The responsibility does not rest with the Berlin Ministries since there is no German administrative unit concerned.

The accomplishment of this task will involve a hard racial struggle (Volkstumskampf) which will not allow any legal restrictions. The methods will be incompatible with the principles otherwise adhered to by us.

The Governor General is to give the Polish nation only bare living conditions and is to maintain the basis for military security.

.....

6).....Any tendencies towards the consolidation of conditions in Poland are to be suppressed. The "Polish muddle" (polnische Wirtschaft) must be allowed to develop. The government of the territory must make it possible for us to purify the Reich territory from Jews and Polacks, too. Collaboration with new Reich provinces (Posen and West Prussia) only for resettlements (Compare Mission Himmler).

Purpose: Shrewdness and severity must be the maxims in this racial struggle in order to spare us from going to battle on account of this country again.

864-PS: TOP SECRET Note on Conference between Hitler and Chief of OKW Re Future Relations of Poland to Germany, dated 20 October 1939.

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Defendant Frank's own statement regarding the purposes of his administr tion in Poland should be considered in connection with this document. As has already been pointed out to the Tribunal, the economic and political responsibilities which had been conferred on Defendant Frank by Hitler, and according to which he "intended to administer Poland" were explained by Defendant Frank as follows in an interview that took place on 3 October 1939:

> "Poland can only be administered by utilizing the country through means of ruthless exploitation, deportation of all supplies, raw materials, machines, factory installations, etc., which are important for the German war economy, availability of all workers for work within Germany, reduction of the entire Polish economy to absolute minimum necessary for bare existence of the population, closing of all educational institutions, especially technical schools and colleges in order to prevent the growth of the new Polish intelligensia. 'Poland shall be treated as a colony; the Poles shall be the slaves of the Greater German World Empire.'".

EC 344-16, &Sa Exhibit No. 297)
Interview with Frank on 3 October 1939, included in report by Capt. Varain, prepared at the direction of General Thomas of the OKW.

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The Hitler-Keitel protocol should also be construed in the light of various passages in Frank's diary relating to German policy in Poland. Illegality had been made in effect a canon on administration by the protocol which provided that defendant Frank's task involved "a hard racial struggle which will not allow any legal restrictions." Defendant Frank emphasized this point to his Department Heads at a conference on 19 December 1940:

> "..... In this country the force of a determined leadership must rule. The Pole must feel here that we are not building him a legal state, but that for him there is only one duty, namely, to work and to behave himself. It is clear that this leads sometimes to difficulties, but you must, in your own interest, see that all measures are ruthlessly carried out in order to become master of the situation. You can rely on me absolutely in this."

2233-PS-O, Frank's Diary, Meeting of Department Heads, 19 Dec. 1940, p.12.

It was the German purpose from the beginning to administer the General Government as colonial territory in total disregard of the duties imposed by international law on an occupying power, and defendant Frank's administrative policies were shaped in accordance with this policy. At the first conference Department Heads of the General Government on 2 December 1939, defendant Frank stated:

> "Decisive in the administrative activities of the General Government is the will of the Fuehrer that this area shall be the first colonial territory of the German nation."

2233-PS-K, Frank's records of Department Heads Meetings, 1939-1940 - Protocol re Conference of Department Heads, 2 December 1939, page 1.

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The "hard racial struggle" which defendant Keitel and Hitler agreed could be solved only if attacked without "legal restrictions", developed into the struggle which had as its ultimate purpose the Germanization of the General Government. (In this connection reference is made to the Official Transcript for 14 Dec 45 PM, pp. 1510 - 1537, incl.)

Defendant Frank's adherence to the conspirators' Germanization policy was clearly expressed by him at an official meeting of political leaders of the NSDAP in Cracow on 5 August 1942. Defendant Frank on that occasion explained:

> "The situation in regard to Poland is unique insofar as on the one hand -- I speak quite openly -- we must expand Germanism in such a manner that the area of the General Government becomes pure German colonized land at some decades to come; and, on the other hand under the present war conditions we have to allow foreign racial groups to perform here the work which must be carried out in the service of Greater Germany..."

2233-PS-F, Frank's Diary 1942 Part III, p. 866.

Expediency, and expediency only, tempered defendant Frank's treatment of the non-German population of the General Government in the "hard racial struggle" he was charged with administering. The General Government was destined to become "pure German colonized land", the valley of the Vistula to be as "German as the valley of the Rhine".

2232-PS-H, (USA Exhibit #317) Frank's Diary 1941 Part II p. 317.

As for the Poles and Ukrainians, defendant Frank's attitude was clear. They were to be permitted to work for the German economy as long as the war emergency continued. Once the war was won, he told the District Standortfuehrung and Political Leaders at a conference at Cracow on 14 January 1944:

> "...then, for all I care, mincemeat can be made of the Poles and the Ukrainians and all the others who run around here --- it does not matter what happens."

2233-PS-BB, Frank's Diary (12 Jan 44 to 28 Feb 44), entry 14 Jan 44 page 24.

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V. IN VIOLATION OF THE LAWS OF WAR AND THE LAWS OF HUMANITY DEFENDANT FRANK ADVOCATED AND ADMINISTERED A PROGRAM OF EXTERMINATING JEWS OF POLISH NATIONALITY WITHIN THE GENERAL GOVERNMENT.

Defendant Frank's diary makes it clear that the complete annihilation of Jews, in accordance with the racial program of the Nazi conspirators, was one of the objectives of his administration as Governor General. In the fall of 1940 defendant Frank urged German soldiers ~~his colleagues~~ to reassure their families in Germany with regard to the hardships of life in the General Government:

> "In all these weeks, they /i.e., your families/ will be thinking of you, saying to themselves: my God, there he sits in Poland where there are so many lice and Jews, perhaps he is hungry and cold, perhaps he is afraid to write.... It would not be a bad idea then to send our dear ones back home a picture, and tell them: well now, there are not so many lice and Jews any more, and conditions here in the Government General have changed and improved somewhat already. Of course, I could not eliminate all lice and Jews in only one year's time (public amused). But in the course of time, and above all, if you help me, this end will be attained. After all, it is not necessary for us to accomplish everything within a year and right away, for what would otherwise be left for those who follow us to do?"
>
> 2233-PS-C. (USA Exhibit No. 271) Frank's Diary 1940, Part IV, p. 1153.

A year later at a Cabinet Session of 16 December 1941 defendant Frank restated the official policy of his administration in respect of Jews:

> "As far as the Jews are concerned, I want to tell you quite frankly, that they must be done away with in one way or another. The Fuehrer said once: should united Jewry again succeed in provoking a world war, the blood of not only the nations which have been forced into the war by them, will be shed, but the Jew will have found his end in Europe .....
>
> Gentlemen, I must ask you to rid yourselves of all feeling of pity. We must annihilate the Jews, wherever we find them and wherever it is possible, in order to maintain here the structure of the Reich as a whole. This will, naturally, be achieved by other methods than those pointed out by Bureau Chief Dr. Hummel.. Nor can the judges of the Special Courts be made responsible for it, because of the limitations of the framework of the legal procedure. Such outdated views cannot be applied to such gigantic and unique events. We must find at any rate, a way which leads to the goal, and my thoughts are working in that direction.

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> The Jews represent for us also extraordinarily malignant gluttons. We have now approximately 2,500,000 of them in the General Government, perhaps with the Jewish mixtures and everything that goes with it, 3,500,000 Jews. We cannot shoot or poison those 3,500,000 Jews, but we shall nevertheless be able to take measures, which will lead, somehow, to their annihilation, and this in connection with the gigantic measures to be determined in discussions from the Reich. The General Government must become free of Jews, the same as the Reich. Where and how this is to be achieved is a matter for the offices which we must appoint and create here. Their activities will be brought to your attention in due course."
>
> 2233-PS-D. (USA Exhibit No. 281), Frank's Diary, Conference Vol. 1941, October to December, pp. 75-77.

An earlier passage in the report of this session of the Cabinet explains the references to Dr. Hummel. Hummel had complained that legal formalities were obstructing the process of liquidation:

> "In Warsaw, in spite of the setting up of a third court chamber, we have been able to decree only 45 death sentences, only 8 of which have been carried out, since in each individual case, the Pardon Commission (Gnadenkommission) in Cracow has to make the final decision. A further 600 sentences were demanded and are under consideration. An effective isolation of the ghetto is not possible by way of the Special Court Procedure. The procedure to be followed up to the liquidation takes too much time; it is burdened with too many formalities and must be simplified."
>
> 2233-PS-J. Frank's Diary, Conference Vol. 1941, p. 66.

Defendant Frank himself ordered that every Jew seen outside the Ghetto should be executed:

> "Severe measures must and will be adopted against Jews leaving the Ghettos. Death sentences pending against Jews for this reason must be carried out as quickly as possible. This order according to which every Jew found outside the Ghetto is to be executed, must be carried out without fail."
>
> Ibid, p. 35

When ways and means of meeting the food deficit in the General Government created by the increase in quotas to be requisitioned for export to Germany were discussed in August 1942, defendant Frank approved a program which provided in part as follows:

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"The feeding of a Jewish population, estimated heretofore at 1.5 million, drops off to an estimated total of 300,000 Jews, who still work for German interests as craftsmen or otherwise. For these the Jewish rations, including certain special allotments which have proved necessary for the maintenance of working capacity, will be retained. The other Jews, a total of 1.2 million, will no longer be provided with foodstuffs."

2233-PS-E, Frank's Diary, Conference Volume, 24 August 1942. Cabinet Meeting.

Defendant Frank's concurrence was expressed in the following terms:

"That we sentence 1.2 million Jews to die of hunger should be noted only marginally. It is a matter of course that should the Jews not starve it would, we hope, result in speeding up of anti-Jewish measures."

IBID.

At an official meeting of the political leaders of the NSDAP on 5 October 1942, defendant Frank made the following progress report:

"What a dirty people made up of Jews swaggered around here before 1939! And where are the Jews today? You scarcely see them. If you see them they are working."

2232-PS-V, Frank's Diary, Official Meeting of Political Leaders of NSDAP, 5 August 1942, p. 896.

In December 1941, defendant Frank had pointed out that his administration could not shoot or poison all the three and a half million Jews in the General Government. He had promised, however, that he would be able to devise measures which would lead to their annihilation. Two years later, at a special press conference in January 1944, he was able to report that his mission was almost accomplished.

"At the present time we have still in the General Government perhaps 100,000 Jews."

2233-PS-F, (USA Exhibit No. 295), Frank's Diary, Loose Leaf Volume, 1 January 1944 to 28 February 1944, p. 5.

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VI: IN VIOLATION OF THE LAWS OF WAR AND THE LAWS OF HUMANITY, DEFENDANT FRANK IMPOSED UPON THE POPULATION OF THE GENERAL GOVERNMENT A REIGN OF TERROR, OPPRESSION, IMPOVERISHMENT AND STARVATION.

What had happened in the General Government in the first three and a half years of defendant Frank's administration was summarized by defendant Frank in a report to Hitler on the situation in Poland, dated 19 June 1943:

"In the course of time, a series of measures or of consequences of the German rule have led to a substantial deterioration of the attitude of the entire Polish people in the German Gouvernment. These measures have affected either individual professions or the entire population and frequently also - often with crushing severity - the fate of individuals.

Among these are in particular:

1 - The entirely insufficient nourishment of the population, mainly of the working classes in the cities, whose majority is working for German interests.

Until the war of 1939, its food supplies, though not varied, were sufficient and generally secure, due to the agrarian surplus of the former Polish state and in spite of the negligence on the part of their former political leadership.

2 - The confiscation of a great part of the Polish estates and the expropriation without compensation and resettlement of Polish peasants from manoeuvre areas and from German settlements.

3 - Encroachments and confiscations in the industries, in commerce and trade and in the field of private property.

4 - Mass arrests and mass shootings by the German police who applied the system of collective responsibility.

5 - The rigorous methods of recruiting workers.

6 - The extensive paralyzation of cultural life.

7 - The closing of high schools, junior colleges and universities.

8 - The limitation, indeed the complete elimination of Polish influence from all spheres of State administration.

9 - Curtailment of the influence of the Catholic Church, limiting its extensive influence - an undoubtedly necessary move - and, in addition, until quite recently, the closing and confiscation of monasteries, schools and charitable institutions."

437-PS Extract from report dated 19 June 1943 by Hans Frank to Hitler re: Situation in Poland. pp. 10 - 11.

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In order to illustrate how completely defendant Frank as Governor General is identified with the criminal policies whose execution is reported in this document, and the extent to which they were the official policies of his administration, it is proposed to annotate several of the items with passages from defendant Frank's own diary.

1. Undernourishment of Polish Population.

The extent of the undernourishment of the Polish population was reported to defendant Frank in September 1941 by Obermedizinalrat Dr. Walbaum:

> "Obermedizinalrat Dr. Walbaum expresses his opinion of the health condition of the Polish population. Investigations which were carried out by his department proved that the majority of Poles eat only about 600 calories, whereas the normal requirement for a human being is 2,200 calories. The Polish population was enfeebled to such an extent that it would fall an easy prey to spotted fever. The number of diseased Poles amounted today already to 40%. During the last week alone 1000 new spotted fever cases have been officially recorded....."
>
> 2233-PS-P, Frank's Diary, 1941, Pt. III, 9 September 1941, p. 830.

It was clear from this report that starvation was prevalent in the General Government. Nevertheless, in August 1942, defendant Frank approved a new plan which called for much larger contributions of foodstuffs to Germany at the expense of the non-German population of the General Government. Methods of meeting the new quotas out of the already grossly inadequate rations of the General Government, and the impact of the new quotas on the economy of the country were discussed at a Cabinet Meeting of the General Government on 18 August 1942 in terms which leave no possible doubt that not only was the proposed requisition

far beyond the resources of the country, but its impact was to be distributed on a grossly discriminatory basis.

Defendant Frank's opening remarks at this meeting defined the scope of the problem and its solution:

> "Before the German people are to experience starvation, the occupied territories and their people shall be exposed to starvation. In this moment therefore we here in the General Government must also have the iron determination to help the Great German people, our fatherland.... The General Government therefore must do the following: The General Government has taken on the obligation to send 500,000 tons bread grains to the fatherland in addition to the foodstuffs already being delivered for the relief of Germany or consumed here by troops of the armed forces, Police or SS. If you compare this with our contributions of last year you can see that this means a six fold increase over that of last year's contribution of the General Government. The new demand will be fulfilled exclusively at the expense of the foreign population. It must be done cold-bloodedly and without pity; ...."

2233-PS-E, Frank's Diary, Conference Volume, 24 August 1942.

President of the Main Department for Food and Agriculture Naumann (apparently an official of the General Government) then described how the reduced quantity of food available for feeding the population of the General Government should be distributed:

> "The feeding of a Jewish population, estimated heretofore at 1.5 million, drops off to an estimated total of 300,000 Jews, who still work for German interests as craftsmen or otherwise. For these the Jewish rations, including certain special allotments which have proved necessary for the maintenance of working capacity, will be retained. The other Jews, a total of 1.2 million, will no longer be provided with foodstuffs.
>
> "Non-German normal consumers will receive, from 1 January 1943 to 1 March 1943, instead of 4.2 kg. bread per month, 2.8 kg; from 1 March 1943 to 30 July 1943 the total bread ration for these non-German normal consumers will be cancelled.
>
> "Those entitled to be supplied (VERSORGUNGS-BERECHTIGTEN) are composed as follows. We estimate that 3 million persons come into consideration as war workers, the A- and B-card

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holders and their kin, and that somewhat more than 3 million persons are non-German normal consumers, who do not work directly or indirectly in the interests of Germany. The war workers, A- and B-card holders and their families, about 3 million persons, will however continue to be supplied, up to the harvest of 1943, at the prevailing rates."

Ibid.

Naumann goes on to discuss the difficulties that may be encountered in the process of requisition:

"The securing of all depots and food processing plants, as well as their transport facilities must be assured, as otherwise irreplaceable losses result which mean a further burdening of the food budget. I have had maps made of all districts (Kreise) on which the depots have all been drawn in. I request that the necessary measures be taken on the part of the police and these depots, which are in the eye of the hungering masses, above all at times when the restrictions are carried out, should be strictly guarded, so that the meager supplies which we have until the new harvest should not be destroyed by sabotage or arson..... Finally it must be determined at the beginning of November whether the martial law for the harvest period, which has been proclaimed up to 30 November, must be extended to 30 December. Martial law for the harvest period has been extended to all products which are to be seized. The planned quota increase and reduction of ration quantities must be kept secret under all circumstances and may be published only at that time which the Main Department for Food and Agriculture considers proper. Should the reduction of ration quantities and the increase of quotas become known earlier, extremely noticeable disturbances in the seizure would take place. The mass of the Polish population would then go to the land and would become a supplementary competitor of our requisitioning agencies."

Ibid.

Defendant Frank's concluding remarks summarized the position as follows:

"I must point out that some sectors of the administration will feel this very keenly. In the first place the police will feel this, for it will have to deal, if I may say so,

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"with an increased activity of the black market and a neglect of food customs. I will gladly give the police extraordinary powers so that they can overcome these difficulties.

"The economy will feel it. The decrease of work rendered will become felt in all sectors, branches and regions. I also assume that our transport system will feel it too. In view of the worsening living conditions an extraordinary hardship will set in for railroad workers and other categories; as the previous quantities of food were already not enough. The monopolies will feel it through a decrease of their incomes, as the amounts of potatoes available for the production of vodka will be less.

"The Germans in this area shall not feel it. We wish in spite of this new plan to see to it that the supplies for Germans will be maintained. Also the Wehrmacht and other encamped units in this area shall not feel it. We hope that it will be possible for us to keep up the whole quotas here.

"To help in this necessity there is a corresponding measure, namely that the supervision of persons travelling from the General Government to the Reich, above all of military personnel, in order to see whether they are taking food out of the General Government, should be suspended. This means that in addition to all that which we must now extract from the land economically, there must take place a complete removal of control over that which is dragged out of the land by thousands upon thousands - doubtless illegally and against our government measures."

IBID.

Defendant Frank is not only responsible for reducing the General Government to starvation; he was proud of the contribution which he made to the Reich. At a meeting of political leaders of the NSDAP in December 1942 at Cracow, he boasted:

"I will endeavour to get out of the reservoir of this territory everything that is yet to be got out of it..... When you consider that it was possible for me to deliver to the Reich 600,000 tons of bread grain, and in addition 180,000 tons to the Armed Forces stationed here; further an abundance amounting to many thousands of tons of other commodities such as seed, fats, vegetables, besides the delivery to the Reich of 300 million eggs, etc. -- you can estimate the significance of the consignment from the General Government of 600,000 tons of bread grain, you are referred to the fact that the General Government by this achievement alone covers the raising of the bread ration in the Greater German Reich by two-thirds during the present rationing period. This enormous achievement can rightfully be claimed by us.

2233-PS-Z, Frank's Diary, 1942, Pt. IV, p. 1331.

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2. Resettlement Projects.

Although Himmler was given general authority in connection with the conspirators' project to resettle various districts in the conquered Eastern territories with racial Germans, projects relating to resettling districts in the General Government were submitted to and approved by defendant Frank On 4 August 1942, for example, the plan to resettle Zamosc and Lublin was reported to him by State Secretary Krueger:

"State Secretary Krueger then continues, saying that the Reichsfuehrer"s next immediate plan until the end of the following year would be to settle the following German racial groups in the two districts (Zamosc and Lublin): 1000 peasant settlements (1 settlement per family of about 6) for Bosnian Germans; 1200 other kinds of settlements; 1000 settlements for Bessarabian Germans; 200 for Serbian Germans; 2000 for Leningrad Germans; 4000 for Baltic Germans; 500 for Wolhynia Germans; and 200 settlements for Flemish, Danish and Dutch Germans: in all 10,000 settlements for 50,000 persons."

2233-PS-T Frank's Diary 1942, P.III, p.830. Conference at Cracow for discussion of Special Problems in District Lublin, 4 August 1942.

Defendant Frank directed that:

> "... the resettlement plan is to be discussed cooperatively by the competent authorities and declared his willingness to approve the final plan by the end of September after satisfactory arrangements had been made concerning all the questions appertaining thereto (in particular the guaranteeing of peace and order) so that by the middle of November, as the most favorable time, the resettlement can begin."

Ibid., at p. 832.

The way in which the resettlement at Zamosc was carried out was described to defendant Frank at a meeting at Warsaw on 25 January 1943 by State Secretary Krueger:

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"When we settled about the first 4000 in Kreis Zamosc shortly before Christmas I had an opportunity to speak to these people ..... It is understandable that in resettling this area...we did not make friends of the Poles....In colonizing this territory with racial Germans, we are forced to chase out the poles.....We are removing those who constitute a burden in this new colonization territory. Actually, they are the asocial and inferior elements. They are being deported, first brought to a concentration camp, and then sent as labor to the Reich. From a Polish propaganda standpoint this entire first action has had an unfavorable effect. For the Poles say: After the Jews have been destroyed then they will employ the same methods to get the Poles out of this territory and liquidate them just like the Jews."

2233-PS-AA Frank's Diary, 1943, Arbeitssitzungen, pp. 16-17

Although the illegality of this dispossession of Poles to make room for German settlers was clear, and although the fact that the Poles were not only being dispossessed but taken off to concentration camps was drawn to defendant Frank's attention at this time, the resettlement projects continued in the General Government.

3. Encroachments and confiscations in the Industries and in the field of private property.

Defendant Frank's policy in respect to Polish property was explained by defendant Frank to his Department Heads in the following terms in December 1939:

"Principally it can be said regarding the administration of the General Government: This territory in its entirety is booty of the German Reich, and it thus cannot be permitted that this territory shall be exploited in its individual parts but that the territory in its entirety shall be economically used and its entire economic worth redound to the benefit of the German people."

2233-PS-K Frank's Diary, Protocol Conference of Department Heads, 2 December 1939. (Supra, p. 11).

Whatever encroachments there were on private property rights in the General Government fell squarely within the policy which defendant Frank in an interview on 3 October 1939 stated he intended to administer as General Governor:

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"Poland can only be administered by utilizing the country through means of ruthless exploitation, deportation of all supplies, raw materials, machines, factory installations etc. which are important for the German war economy.... /It was defendant Frank's opinion/ that the war would be a short one and that it was most important now to make available as soon as possible raw materials, machines and workers to the German industry, which was short in all of these. Most important, however, in Frank's opinion, was the fact that by destroying Polish industry, its subsequent reconstruction after the war would become more difficult, if not impossible, so that Poland would be reduced to its proper position as an agrarian country which would have to depend upon Germany for importation of industrial products."

EC-344-16 USA Exhibit No 297, interview with Frank included in report of Captain Verain, prepared at the direction of General Thomas of the Economic Division of the OKW (supra p. 10)

The basic decree under which property in the General Government was sequestered was promulgated by defendant Frank on 24 January 1940. This decree authorized sequestration in connection with the "performance of tasks serving the public interest", the seizure of "abandoned property", and the liquidation of "anti-social or financially unremunerative property". It permitted the Higher S.S. and Police Chief to order sequestrations "with the object of increasing the striking power of the units of the uniformed police and armed S.S." No legal recourse was granted for losses arising from the enforcement of the decree, compensation being solely in the discretion of an official of the General Government. As has been pointed out before to the Tribunal (Official Transcript, 14 Dec. 1945, p. 1537) it is clear that the undefined criteria of this decree empowered Nazi officials in the General Government to engage in wholesale seizure of property.

2540 PS Verordnungsblatt für das Generalgouvernement, No. 6, 27 Jan. 1940, p. 23.

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4. Principle of Collective Responsibility

It was no part of defendant Frank's policy in administering the General Government that reprisals should be commensurate with the gravity of the offense. Defendant Frank was, on the contrary, an advocate of drastic measures in dealing with the Polish people. At a conference of Department Heads of the General Government on 19 January 1940, he explained:

> "My relationship with the Poles is like the relationship between ant and plant louse. When I treat the Poles in a helpful way, so to speak tickle them in a friendly manner, then I do it in the expectation that their work performance redounds to my benefit. This is not a political but a purely tactical-technical problem. . . . . In cases where in spite of all these measures the performance does not increase, or where the slightest act gives me occasion to step in, I would not even hesitate to take the most draconic action."

2233-PS-L, Frank's Diary. Conference of Department Heads 19 January 1940. p. 11, 12.

At a subsequent meeting of Department Heads on 8 March 1940 Defendant Frank became even more explicit:

> "Whenever there is the least attempt by the Poles to start anything, an enormous campaign of destruction will follow. Then I would not mind starting a regime of terror, or fear its consequences."

2233-PS-M. Frank's Diary. Meeting of Department Heads in the Bergakademie, Friday 8 March 1940, p. 13.

At a conference of District Standartenfuehrer at Cracow on 18 March 1942 defendant Frank reiterated his policy:

> "Incidentally, the struggle for the achievement of our aims will be pursued cold bloodedly. You see how the state agencies work. You see that we do not hesitate before anything, and stand whole dozens of people up against the wall. This is necessary because here simple consideration says that it cannot be our task at this period when the best German blood is being sacrificed, to show regard for the blood of another race. For out of this one of the greatest dangers may arise. One already hears today in Germany that prisoners-of-war for instance with us in Bavaria or in Thuringia are administering large estates entirely independently, while all the men in a village fit for service are at the front. If this state of affairs continues then a gradual retrogression of Germanism will show itself. One should not underestimate this danger. Therefore, everything revealing itself as a Polish power of leadership must be destroyed again and again with ruthless energy. This does not have to be shouted abroad, it will happen silently."

2233-PS-R. Frank's Diary, 1942, pt.I, p. 63

And on 15 January 1944 defendant Frank assured the poli-

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tical leaders of the NSDAP at Cracow on 15 January 1944.

> "I have not been hesitant in declaring that when a German is shot, up to 100 Poles shall be shot too."
>
> 2233-PS-BB, Frank's Diary, Loose-Leaf volume 1 Jan 1944 to 28 Feb 1944. Meeting 15 Jan 1944, p. 22.

5. Rigorous Methods of Recruiting Workers.

Force, violence and economic duress were all supported by defendant Frank as means for recruiting laborers for deportation to slave labor in Germany. Deportation of Polish laborers to Germany was an integral part of the program announced by defendant Frank for his administration of the General Government (See EC-344-16, supra, p. 10), and as Governor General he authorized whatever degree of force was required for the execution of his program.

Voluntary methods of recruitment soon proved inadequate. In the spring of 1940 the question of utilizing force came up, and the following discussion took place in the presence of defendant Seyss-Inquart:

> "The Governor-General stated that the fact that all means in form of proclamations etc. did not bring success, leads to the conclusion that the Poles out of malevolence, and guided by the intention of harming Germany by not putting themselves at its disposal, refuse to enlist for working duty. Therefore, he asks Dr. Frauendorfer, if there are any other measures, not as yet employed, to win the Poles on a voluntary basis.
>
> "Reichshauptamtsleiter Dr. Frauendorfer answered this question negatively.
>
> "The General Governor emphasized the fact that he now will be asked to take a definite attitude toward this question. Therefore the question will arise whether any form of coercive measures should now be employed.
>
> "The question put by the General Governor to SS Lieutenant General (Obergruppenfuehrer) Krueger: does he see possibilities of calling Polish workers by coercive means, is answered in the affirmative by SS Lieutenant General (Obergruppenfuehrer) Krueger."
>
> 2233-PS-N, Frank's Diary, 1940, Part II, Official Meeting, 21 April 1940, page 333.

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At the same conference defendant Frank declared that he was willing to agree to any practical measures, and he decreed that unemployment compensation should be discontinued on May 1, 1940 as a means of recruiting labor for Germany.

> "The General Governor is willing to agree to any practical measure, however, he wishes to be informed personally about the measures to be taken. One measure, which no doubt would be successful, would be the discontinuance of unemployment compensation for unemployed workers and their transfer to public welfare. Therefore, he decrees that, beginning 1 May, claim for unemployment compensation will cease to exist and only public welfare may be granted. For the time being only men are to report and above those men living in cities. There might be a possibility of combining the moving of the 120,000 Poles from the Warthe district with this measure."

Ibid.

In March 1940 defendant Frank assured the authorities in Berlin that he was prepared to have villages surrounded and the people dragged forcibly out. He reported that, in the course of his negotiations in Berlin regarding the urgent demand for larger numbers of Polish farm workers, he had stated:

> "if it is demanded from him, /he/ could naturally exercise force in such a manner, that he has the police surround a village and get the men and women in question out by force, and then send them to Germany. But one can also work differently, besides these police measures, by retaining the unemployment compensation of these workers in question."

2233-PS-B. (USA Exhibit No. 174)
Frank's Diary, 1943,
16 March 1943, p. 217.

At a conference of Department Heads of the General Government on 10 May 1940 defendant Frank laid down the following principles for dealing with the problem of conscription labor:

> "Upon the demands from the Reich it has now been decreed that compulsion may be exercised in view of the fact that sufficient manpower was not voluntarily available for service inside the German Reich. This

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compulsion means the possibility of arrest of male and female Poles....The arrest of young Poles when leaving church service or the cinema would bring about an ever increasing nervousness of the Poles. Generally speaking, he had no objection at all if the rubbish, capable of work yet often loitering about, would be snatched from the streets. The best method for this, however, would be the organization of a raid, and it would be absolutely justifiable to stop a Pole in the street and to question him what he was doing, where he was working, etc."

2233-PS-A. (USA Exhibit No. 173) Frank's Diary Official Conference, 1939-1940, p. 23, Meeting of Department Heads on 10 May 1940.

Defendant Frank approved starvation as a method of recruitment. At a conference on 20 November 1942 the following plan was agreed:

"Starting 1 February 1942 the food ration cards should not be issued to the individual Pole or Ukranian by the Nutrition Office (Ernaehrungsamt), but to the establishments working for the German interest. 2,000,000 people would thus be eliminated from the non-German, normal ration-consuming contingent. Now, if those ration cards are only distributed by the factories, part of those people will naturally rush into the factories. Labor could then be either procured for Germany from them or they could be used for the most important work in the factories of the General Government."

2233-PS-Y. Frank's Diary, 1942, pt. IV, pp. 1212-1213, 20 November 1942.

On 18 August 1942 defendant Frank informed defendant Sauckel that the General Government had already supplied 800,000 laborers to Germany, and that a further 140,000 would be supplied by the end of the year. Regaring the quota for the next year he promised:

".....you can, however, next year reckon upon a higher number of workers from the General Government, for we shall employ the Police to conscript them."

2233-PS-W. Frank's Diary, 1942, pt. III, p. 920. Conference with Gauleiter Sauckel, 18 August 1942.

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Six months after defendant Frank promised defendant Sauckel to resort to police action to round up labor for deportation to Germany the Chairman of the Ukrainian Main Committee reported to defendant Frank that the program was being carried out as follows:

> "The wild and ruthless man-hunt carried on everywhere in towns and country, in streets, squares, stations, even in churches, at night in houses, has badly shaken the feeling of security of the inhabitants. Everybody is exposed to the danger, of being seized anywhere and at any time by members of the police, suddenly and unexpectedly, and being brought into an assembly camp. None of his relatives knows what has happened to him, only weeks or months later, one or the other gives news of his fate by a postcard."

1526-PS. (USA Exhibit No. 178) Letter to Frank from the Chairman of Ukrainian Main Committee at Cracow, February 1943.

6. Closing of Schools.

The program outlined by defendant Frank on 3 October 1939, as the program he intended to administer as Governor General included:

> "closing of all educational institutions, especially technical schools and colleges in order to prevent the growth of the new Polish intelligentsia"

EC-344-16, supra at p. 10

This decision was taken by defendant Frank before it was determined what schools, if any, might be closed because of failure of instructors to refrain from reference to politics, or refusal to submit to inspection by the occupying authorities. Moreover, the policy was determined, as indicated, in furtherance of the improper purpose of preventing the rise of an educated class in Poland.

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7. Other Crimes.

There were other grounds for uneasiness in Poland which defendant Frank does not mention in his report to his Fuehrer, He does not mention the Concentration Camps - perhaps because, as the "representative jurist" of National Socialism, defendant Frank had himself defended the system in Germany. As Governor General defendant Frank is responsible for all concentration camps within the boundaries of the General Government. As indicated above he knew and approved that Poles were taken to concentration camps in connection with the resettlement projects. He had certain jurisdiction as well in relation to the notorious extermination camp Auschwitz to which Poles from the General Government were committed by his administration, although the camp itself lay outside the boundaries of the General Government. In February 1944 Ambassador Counsellor Dr. Schumberg suggested a possible amnesty of Poles who had been taken to Auschwitz for trivial offenses and kept there for several months. The report of the conference continues:

> "The Governor General will take under consideration an amnesty probably for 1 May of this year. Nevertheless, one must not lose sight of the fact that the German leadership of the General Government must not now show any signs of weakness."

2233-PS-BE. Frank's Diary. Loose leaf volume 1 January 1944 to 28 February 1944. Conference 8 February 1944, page 7.

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As legal adviser of Hitler and the leadership corps of the NSDAP, defendant Frank promoted the conspirators' rise to power. In his various juridical capacities, both in the NSDAP and in the German government, defendant Frank advocated and promoted the political monopoly of the NSDAP, the racial program of the conspirators, and the terror system of the concentration camp and of arrest without warrant. His role in the common plan was to realize "the National Socialist Program in the realm of law", and to give the outward form of legality to this program of terror, persecution and oppression, which had as its ultimate purpose mobilization for aggressive war.

As a loyal adherent of Hitler and the NSDAP, defendant Frank was appointed Governor General in October 1939 of that area of Poland known as the General Government, which became the testing ground for the conspirators' program of "Lebensraum." Defendant Frank had defined justice in the field of German law as that which benefited the German nation. His five year administration of the General Government illustrates the same principle applied in the field of international law.

It has been shown that defendant Frank took the office of Governor General under a program which constituted in itself a criminal plan or conspiracy, as defendant Frank well knew and approved, to exploit the territory ruthlessly for the benefit of Nazi Germany, to conscript its nationals for labor in Germany, to close its schools and colleges to prevent the rise of a Polish intelligentsia and to administer the territory as a colonial possession of the Third Reich in total disregard of the duties of an occupying power toward the inhabitants of occupied territory. Under defendant Frank's administration this criminal plan was consummated. But the execution went even beyond the plan. Food contributions to Germany increased to the point where the bare subsistence reserved for the General Government under the plan was reduced to the level of mass starvation; a savage

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program of exterminating Jews was relentlessly executed; re-settlement projects were carried out with reckless disregard of the rights of the local population; the terror of the concentration camp followed in the wake of the Nazi invaders.

All of these crimes come within the scope of defendant Frank's general thesis that justice is that which benefits the German nation. It has been shown that all of these crimes were committed in accordance with the official policies established and advocated by defendant Frank.

This statement of evidence has been compiled almost entirely from statements by defendant Frank himself, from the admissions found in his diaries, official reports, records of his conferences with his colleagues and subordinates, and his speeches. It is therefore appropriate that a final passage from his diary should be quoted in conclusion. In January 1943, defendant Frank told his colleagues in the General Government that their task would grow more difficult. Hitler, he said, could only help them as a kind of "administrative pillbox". They must depend on themselves.

> "We are now duty bound to hold together /he continued/..... We must remember that we who are gathered together here figure on Mr. Roosevelt's list of war criminals. I have the honor of being Number One. We have, so to speak, become accomplices in the world historic sense."
>
> 2233-PS-AA. Frank's Diary. Official Meetings, 1943. Meeting at Warsaw, 25 January 1943, p. 53.

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